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Louis Robert Litwin

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Robert D. Shedd

Thomson Licensing LLC

PO Box 5312

PRINCETON, NJ 08543-5312

EXAMINER

BURD, KEVIN MICHAEL

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



1. This office action, in response to the remarks filed 12/28/2008, is a final office action.

### ***Response to Arguments***

2. Applicant's arguments filed 12/28/2008 have been fully considered but they are not persuasive. Applicant states Sarkar describes estimating a received symbol and associating with that estimated symbol one correlation metric. However, Sarkar discloses the signal comprises symbols transmitted over a number of time slots and, over the number of time slots, the symbols are used to determine the synchronization words. This is shown in the previously cited passage of the specification as well as in figure 4. For this reason and the reasons cited in the previous office action, the rejection of the claims is maintained and stated below.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Sarkar (US 6,363,060).

Regarding claims 1 and 4, Sarkar discloses a method for use in a wireless receiver. A signal is received. The signal comprises symbols over a number of time slots where the symbols form a secondary synchronization code (SSC) (column 1, lines 35-44). There are 32 possible 16 element code words available (column 2, lines 23-40). A correlation strength metric is generated from each decoded SSC symbol. This correlation strength metric is a measure of the degree of correlation between the estimated transmitted symbol value and the received signal and is generated during the SSC decoding method (column 9, lines 36-53).

Regarding claims 2 and 5, Sarkar discloses storing the correlation values for each symbol and therefore for each time slot (column 9, lines 36-53). The metric values are determined and the degree of correlation (the highest metric) determines if the received signal is the expected symbol.

Regarding claims 3 and 6, cyclic shifts of the code word are performed to compare these shifted code words to the estimated code word (column 4, lines 23-29). The framing timing is detected from this decoding process.

Regarding claims 7 and 8, Sarkar discloses a method for use in a wireless receiver. A signal is received. The signal comprises symbols over a number of time slots where the symbols form a secondary synchronization code (SSC) (column 1, lines 35-44). There are 32 possible 16 element code words available (column 2, lines 23-40). A correlation strength metric is generated from each decoded SSC symbol. This correlation strength metric is a measure of the degree of correlation between the estimated transmitted symbol value and the received signal and is generated during the

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SSC decoding method (column 9, lines 36-53). Sarkar discloses storing the correlation values for each symbol and therefore for each time slot (column 9, lines 36-53). The metric values are determined and the degree of correlation (the highest metric) determines if the received signal is the expected symbol.

Regarding claims 9 and 12, Sarkar discloses a wireless communication system. The receiver is shown in figures 3 and 6. A signal is received. The signal comprises symbols over a number of time slots where the symbols form a secondary synchronization code (SSC) (column 1, lines 35-44). There are 32 possible 16 element code words available (column 2, lines 23-40). A correlation strength metric is generated from each decoded SSC symbol. This correlation strength metric is a measure of the degree of correlation between the estimated transmitted symbol value and the received signal and is generated during the SSC decoding method (column 9, lines 36-53).

Regarding claim 10, a bank of correlators is shown in figures 3 and 6.

Regarding claim 11, cyclic shifts of the code word is performed to compare these shifted code words to the estimated code word (column 4, lines 23-29). The framing timing is detected from this decoding process.

Regarding claim 13, Sarkar discloses storing the correlation values for each symbol and therefore for each time slot (column 9, lines 36-53). The metric values are determined and the degree of correlation (the highest metric) determines if the received signal is the expected symbol. These values will be stored.

Regarding claim 14, cyclic shifts of the code word is performed to compare these shifted code words to the estimated code word (column 4, lines 23-29). The framing timing is detected from this decoding process.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Burd whose telephone number is (571) 272-3008. The examiner can normally be reached on Monday - Friday 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Payne can be reached on (571) 272-3024. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kevin M. Burd/  
Primary Examiner, Art Unit 2611  
3/8/2009